ORDINANCE NO.

AN ORDINANCE SETTING THE CALENDAR YEAR 2008 RATE OF ASSESSMENT FOR THE AUSTIN DOWNTOWN PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF AUSTIN AND APPROVING A PROPOSED CALENDAR YEAR 2008 ASSESSMENT ROLL FOR THE DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that:

(A) Chapter 372 of the Texas Local Government authorizes the creation of the Austin Downtown Public Improvement District (District).

(B) On October 18, 2007, the City Council passed a resolution, which approved the reauthorization of the District in accordance with its findings.

(C) The Council finds that the proposed assessment roll attached as Exhibit A, and incorporated in this ordinance, is necessary to fund improvements and services provided through the District.

PART 2. The Austin Downtown Public Improvement District assessment rate for calendar year 2008 is set at ten cents per $100.00 of property value. Property value is determined by the Travis Central Appraisal District appraisal, subject to an amendment to an assessment made by Council after a hearing.

PART 3. The Council directs that the proposed assessment roll attached as Exhibit A be filed with the City Clerk. The following property shall be excluded from the roll and exempted from payment of the assessment:

(A) City property used for a public purpose;

(B) property owned the County, or a political subdivision of the State of Texas and used for a public purpose;

(C) property exempt from taxation under Section 11.20 *(Religious Organizations)* of the Texas Property Tax Code;

(D) property used exclusively for school purposes, as identified by the Travis Central Appraisal District records;

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(E) property owned by an association engaged in promoting the religious, educational, and physical development of boys, girls, young men, or young women operating under a state or national organization and used exclusively for that purpose, including property owned by the Austin Independent School District;

(F) property owned by an institution of purely public charity, as identified by the Travis Central Appraisal District records;

(G) property used primarily for a recreational, park, or scenic purpose during the calendar year immediately preceding the effective date of this ordinance;

(H) property owned by a utility that is located in public streets or rights-of-way;

(I) property used as a residence that fits the definition of a homestead in Section 41.002 of the Texas Property Code;

(J) a hospital; and

(K) the first $500,000 in valuation of property liable for assessment.

PART 4. Property designated by the city as "H" Historic is assessed on the basis of the value prescribed in Section 11-1-22 of the City Code *(Determination of Exemption Amount).*

PART 5. The City Council approves the attached Exhibit "A" as the proposed calendar year 2008 assessment roll for the District.

PART 6. The provisions of this ordinance are severable. If any provision of this ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this ordinance.

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PART 7. This ordinance takes effect on _____, 2007.

PASSED AND APPROVED

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_____, 2007 § _____
Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith
City Attorney

Shirley A. Gentry
City Clerk

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